

**The United States Court of Appeals
for the Ninth Circuit**

United States of America,

No. 25-1644

Plaintiff-Appellee,

D.C. No. 2:18-cr-00106-JAD-DJA-1
District of Nevada, Las Vegas

v.

Wyatt Scott Peterson,

Defendant-Appellant.

United States of America,

No. 25-1691

Plaintiff-Appellee,

D.C. No. 2:18-cr-00408-APG-EJY-2
District of Nevada, Las Vegas

v.

Wyatt Scott Peterson,

Defendant-Appellant.

**Appellant Wyatt Scott Peterson's Unopposed Motion to
Voluntarily Dismiss Consolidated Appeals**

Appellant Wyatt Scott Peterson, through counsel, moves to voluntarily dismiss his consolidated appeals in Case Nos. 25-1644 and 25-1691, under Rule 42(b)(2) of the Federal Rules of Appellate Procedure and Ninth Circuit Rule 27-9.1. This Motion is based on the

attached: (1) Declaration of Counsel; and (2) Consent to Voluntary Dismissal of Appeal executed by Mr. Peterson.

Specifically, after his sentencing, Mr. Peterson filed pro se notices of appeal in District of Nevada Case Nos. 2:18-cr-00106-JAD-DJA-1 and 2:18-cr-00408-APG-EJY-2. This Court subsequently consolidated these appeals. Mr. Peterson and undersigned counsel have discussed the potential benefits and consequences of proceeding forward with these appeals and, as a result, Mr. Peterson has chosen to voluntarily dismiss both appeals.

The government does not oppose this Motion to Voluntarily Dismiss Consolidated Appeals. Thus, Mr. Peterson requests that this Court grant this Motion and dismiss his consolidated appeals.

Dated: March 26, 2025 Respectfully submitted,

RENE VALLADARES
Federal Public Defender

s/ Raquel Lazo
Raquel Lazo
Assistant Federal Public Defender
411 E. Bonneville Ave., Suite 100
Las Vegas, Nevada 89101
(702) 388-6577
Raquel_Lazo@fd.org
Attorney for Appellant Wyatt Peterson

Declaration of Counsel

I, Raquel Lazo, declare under 28 U.S.C. § 1746 as follows:

1. I am an Assistant Federal Public Defender for the District of Nevada.

2. I am appellate counsel for Wyatt Scott Peterson, the Defendant-Appellant in *United States v. Peterson*, Case No. 25-1644, and *United States v. Peterson*, Case No. 25-1691.

3. Mr. Peterson is presently in the custody at Nevada Southern Detention Center. However, on March 10, 2025, I had a confidential videoconference with AFPD Appellate Chief Amy B. Cleary and Mr. Peterson. The purpose of the call was to discuss the pro se notices of appeal Mr. Peterson filed in District of Nevada Case Nos. 2:18-cr-00106-JAD-DJA-1 and 2:18-cr-00408-APG-EJY-2.

4. During our videoconference, we discussed with Mr. Peterson the possible advantages and disadvantages of appealing his convictions. Afterward, Mr. Peterson stated he understood his appellate options and possible outcomes and options. Mr. Peterson also stated he no longer wished to continue his appeals and wanted to dismiss them.

5. We advised Mr. Peterson that if he voluntarily dismissed his appeals that he would be barred from raising in future proceedings any issues that should have been raised through direct appeal to the Ninth Circuit Court of Appeals. We also advised Mr. Peterson that he would need to sign a consent form to confirm his decision to dismiss his appeals.

6. Mr. Peterson signed a Consent to Voluntary Dismissal of Appeal for each of his appeals which are attached hereto.

7. On March 26, 2025, our office contacted counsel for the government, Assistant United States Attorney Peter Walkingshaw, who advised the government does not object to the voluntary dismissal of this consolidated appeal.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 26, 2025

RENE VALLADARES
Federal Public Defender

s/ Raquel Lazo

Raquel Lazo
Assistant Federal Public Defender
411 E. Bonneville Ave., Suite 100
Las Vegas, Nevada 89101
(702) 388-6577
Raquel_Lazo@fd.org

Consent to Voluntary Dismissal of Appeal

1. I, Wyatt Scott Peterson, consent to the voluntary dismissal of my direct appeal of conviction and sentence in District of Nevada in Case No. 2:18-cr-00106-JAD-DJA, docketed in the Ninth Circuit Court of Appeals as Case No. 25-1644, under Rule 42 of the Federal Rules of Appellate Procedure and Ninth Circuit Rule 27-9.1, and submit the following.
2. On March 10, 2025, I filed a pro se notice of appeal of the district court's final judgment and conviction order dated of March 4, 2025.
3. On March 10, 2025, I had a videoconference with AFPD Raquel Lazo and AFPD Appellate Chief Amy B. Cleary. During our videoconference, we discussed my pro se notice of appeal, the appellate waiver in my plea agreement, possible relief that might be sought on appeal, possible outcomes of pursuing my appeal, and possible advantages and disadvantages of pursuing my appeal.
3. As a result, I understand the implications and consequences of voluntarily dismissing my appeal, Case No. 25-1644, including that I am waiving the right to appeal any issues arising out of my judgment and conviction that must be raised in a direct appeal. With these understandings, I have decided not to pursue the current appeal in Case No. 25-1644 and agree to voluntarily dismiss it.

Dated: 3-25-25


Wyatt Scott Peterson

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

Form 15. Certificate of Service for Electronic Filing

Instructions for this form: <http://www.ca9.uscourts.gov/forms/form15instructions.pdf>

9th Cir. Case Number(s) 25-1644

I hereby certify that I electronically filed the foregoing/attached document(s) on this date with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit using the Appellate Electronic Filing system.

Service on Case Participants Who Are Registered for Electronic Filing:

I certify that I served the foregoing/attached document(s) via email to all registered case participants on this date because it is a sealed filing or is submitted as an original petition or other original proceeding and therefore cannot be served via the Appellate Electronic Filing system.

Service on Case Participants Who Are NOT Registered for Electronic Filing:

I certify that I served the foregoing/attached document(s) on this date by hand delivery, mail, third party commercial carrier for delivery within 3 calendar days, or, having obtained prior consent, by email to the following unregistered case participants (*list each name and mailing/email address*):

Mr. Wyatt Peterson
Federal Detainee
Nevada Southern Detention Center
2190 East Mesquite Avenue
Pahrump, NV 89060

Description of Document(s) (required for all documents):

Appellant Wyatt Scott Peterson's Unopposed Motion to Voluntarily Dismiss Consolidated Appeals

Signature s/ Raquel Lazo **Date** March 26, 2025

(use "s/[typed name]" to sign electronically-filed documents)

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov